



MICHAEL P. LOWRY, ESQ.

Nevada Bar No. 10666

E-mail: Michael.Lowry@wilsonelser.com

JONATHAN C. PATTILLO, ESQ.

Nevada Bar No. 13929

E-mail: Jonathan.Pattillo@wilsonelser.com

6689 Las Vegas Blvd. South, Suite 200

Las Vegas, NV 89119

Tel: 702.727.1400/Fax: 702.727.1401

Attorneys for LVGV, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRINA ARELLANO, an individual,

Plaintiff,

vs.

LVGV, LLC, D/B/A THE M RESORT SPA
CASINO,

Defendant.

Case No.: 2:20-cv-2145 -JAD-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**
(Fourth REQUEST)

This is the fourth request for an extension of the discovery deadlines. Discovery cannot be completed including disclosure of initial expert witnesses, until medical records and bills relating to the Plaintiff's bilateral arthroscopic knee surgeries are obtained and reviewed.

I. Summary of Discovery Completed

- The parties conducted the Rule 26(f) conference and served their initial disclosures.
- Plaintiff served their 1st supplemental Rule 26 disclosures.
- Plaintiff served their 2nd supplemental Rule 26 disclosures.
- Defendant propounded interrogatories on the Plaintiff.
- Defendant propounded requests for production of documents on the Plaintiff.
- Plaintiff responded to Defendant's interrogatories.
- Plaintiff responded to Defendant's requests for production of documents.
- Defendant propounded 2nd set of interrogatories on the Plaintiff.
- Defendant propounded 2nd requests for production of documents of the Plaintiff
- Plaintiff responded to Defendant's 2nd set of interrogatories.

- Plaintiff responded to Defendant's 2nd requests for production of documents.
- Plaintiff propounded interrogatories on the Defendant.
- Plaintiff propounded requests for production of documents on the Defendant.
- The Plaintiff appeared for a Rule 35 medical exam.

II. Discovery Remaining

- Depositions of parties and witnesses.
- Expert disclosures.

III. Why the Remaining Discovery Could not be Completed

Good cause exists to extend all discovery deadlines. The parties have learned that the Plaintiff has recently undergone arthroscopic surgeries to her right knee and her left knee. The Plaintiff claims that the bilateral arthroscopic knee surgeries are causally related to the fall at the M Resort that is the subject of this case.

The Plaintiff resides out of state and her medical care and treatment took place in California. The parties are attempting to obtain her medical records and bills relating to her bilateral arthroscopic knee surgeries but they have not yet been able to obtain these records. The parties do not believe that these medical records and bills can be obtained in time to allow for review of these records by expert witnesses. The bilateral arthroscopic knee surgeries constitute a significant part of the Plaintiff's claimed injuries. The parties believe that it is necessary to extend the discovery period in order to allow the parties sufficient time to obtain the medical and billing records for this medical treatment.

The Plaintiff recently appeared for a Rule 35 medical examination that was performed by a medical expert for the defense. Although the Plaintiff discussed the two arthroscopic knee surgeries that she relates to this fall during the Rule 35 examination, Defendant has not had a chance to review these records or get them to her expert for his review. Because Plaintiff is claiming injury to her knees, these records are obviously very important for initial expert disclosures. A complete expert review cannot be performed until the expert has had the opportunity to review the medical records related to the bilateral knee surgeries. Thus the parties

request an extension of 90 days in order to obtain these records and have their experts review them.

IV. ~~Proposed~~ Schedule for Completing All Remaining Discovery

	Current Deadline	Proposed Deadline
Amending Pleadings and Adding Parties	Closed	Closed
Initial Expert Disclosures & Interim Status Report	November 22, 2021	February 23 rd , 2022
Rebuttal Expert Disclosures	December 23, 2021	March 25 th , 2022
Discovery Closes	January 23, 2022	April 22 nd , 2022
Dispositive Motions	February 23, 2022	May 20 th , 2022
Pre-Trial Order, if no Dispositive Motions	February 20, 2022	June 17 th , 2022

TANNER CHURCHILL ANDERSON

/s/ Jared Anderson
Jared Anderson, Esq.
Nevada Bar No. 7308
4001 Meadows Lane
Las Vegas, NV 89107
Attorney for Plaintiff



/s/ Michael Lowry
Michael P. Lowry, Esq.
Nevada Bar No. 10666
Jonathan C. Pattillo, Esq.
Nevada Bar No. 13929
6689 Las Vegas Blvd. South, Suite 200
Las Vegas, NV 89119
Attorney for LVGV

ORDER

The parties' Stipulation to Extend Discovery Deadlines is **granted in part and denied in part**. The parties include an interim status report deadline of February 23, 2022. The Local Rules as amended on 4/17/2020 eliminated former Local Rule 26-3's requirement for Interim Status Reports. The Interim Status Report Deadline is therefore DENIED. The extension of all remaining deadlines is GRANTED.

Daniel J. Albregts
United States Magistrate Judge

DATED: November 23, 2021